UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

PAONE REALTY ASSOCIATES, LLC,

Civil Action No.17-13276 (WJM)

Plaintiff,

CONSENT ORDER DISMISSING COUNT II OF PLAINTIFF'S COMPLAINT

HARTFORD INSURANCE COMPANY OF THE MIDWEST, INC., and JOHN DOE 1-10 said names being fictitious,

Defendants

This matter having come before the Court on motion by counsel for defendant Hartford Insurance Company of the Midwest, Inc. ("Hartford") seeking to dismiss, pursuant to Fed. R. Civ. P. 12, Count II of plaintiff's complaint, wherein it is alleged Hartford acted in bad faith in its denial of plaintiff's claim for indemnity, and plaintiff consenting to dismissal without prejudice of count II of its complaint, and for good cause shown,

IT IS HEREBY ORDERED on January \_\_\_, 2018, that Count II of plaintiff's complaint is hereby dismissed without prejudice.

Hon. Mark Falk, M.J.D.C.

We hereby consent to the form, content, and entry of the within Consent Order.

CRAIG R. RYGIEL , ESQ MOUND COTTON WOLLAN & GREENGRASS LLP

CRAIG R. RYGIEL., ESQ Attorney for Defendant

DAVID C. BENDUSH, ESQ

LAW OFFICE OF DAVID C. BENDUSH

DAVID C. BENDUSH, ESQ Attorney for Plaintiff